

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LINH WANG,

Plaintiff,

v.

ESURANCE INSURANCE COMPANY, *et al.*,

Defendants.

CASE NO. C24-0447-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on the parties’ stipulated motion to dismiss Defendant Esurance Insurance Services, Inc., without prejudice (Dkt. No. 10). Federal Rule of Civil Procedure 41(a)(1)(A)(ii) provides that a “plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Although Rule 41 governs dismissal of an “action,” the Ninth Circuit has held that a “plaintiff may dismiss some or all of the defendants . . . through a Rule 41(a)(1) notice.” *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Here the parties have stipulated to dismissing all claims against Defendant Esurance Insurance Services, Inc., and the stipulation is signed by all parties who have appeared. (See Dkt. No. 10 at 1–2.) Thus, under Rule 41(a)(1)(A)(ii), the stipulation is self-executing. All claims against Defendant Esurance Insurance Services, Inc., are DISMISSED

1 without prejudice and without costs to any party, with each party to bear its own attorney fees
2 and other litigation expenses. The Clerk is DIRECTED to terminate Defendant “Esurance
3 Insurance Services, Inc.” from the docket.
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5 DATED this 21st day of May 2024.

6 Ravi Subramanian
7 Clerk of Court

8 s/Kathleen Albert
9 Deputy Clerk
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